

REMARKS

Claims 4-6 and 8-12 are pending in this application. By this Amendment, claims 1-3 and 7 are canceled, claims 4, 8 and 9 are amended and claims 10-12 are added. Specifically, the features of claim 7 are added to claim 4.

I. The Claims Define Patentable Subject Matter

The Office Action rejects claims 1-6, 8 and 9 under 35 U.S.C. §102(b) over U.S. Patent No. 5,200,631 to Austin et al., and claim 7 under 35 U.S.C. §103(a) over Austin et al. in view of U.S. Patent No. 5,796,714 to Chino et al. With respect to claims 1-3 these rejections are moot. With respect to the remaining claims, these rejections are respectfully traversed.

Applicants respectfully disagree with the Office Actions assertion that Chino et al. provides the deficiencies of Austin et al. with respect to the features of canceled claim 7, now incorporated into independent claim 4. The Office Action recognizes that Austin et al. fails to disclose an adhesive layer between the optical signal transmission substrates, the adhesive layer being composed of an adhesive agent and electrodes for electrically connecting the electrodes above the substrates. Moreover, Chino et al. does not disclose an adhesive layer between the optical signal transmission substrates, the adhesive layer being composed of an adhesive agent and electrodes for electrically connecting the electrodes of both substrates, the electrodes of the adhesive layer being in contact with respective electrodes of the substrates, as in amended independent claim 4 and as disclosed in Fig. 4 of the specification.

In Chino et al., neither of the substrates 11 or 12 have an electrode. Furthermore, a buffer layer 38 is provided between the substrate 12 and electrodes 32 and 36 in the electrode structure 16 and an insulating layer 21 between the substrate 11 and the electrode structure 16. See, e.g., Fig. 1. Finally, as disclosed in col. 25, lines 4-10 of Chino et al., the structure of Chino et al. makes it possible to provide an optical module realizing an excellent

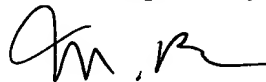
emission efficiency in which a substrates including a vertical cavity optical module thereon can be mounted on a sub-mount substrate without applying an excessive load causing the degradation of the emission efficiency to the light emitting layer.

II. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



James A. Oliff
Registration No. 27,075

Michael Britton
Registration No. 47,260

JAO:MB/gam

Date: December 21, 2004

OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, Virginia 22320
Telephone: (703) 836-6400

<p>DEPOSIT ACCOUNT USE AUTHORIZATION Please grant any extension necessary for entry; Charge any fee due to our Deposit Account No. 15-0461</p>
--